

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 13-cv-14446

ex rel. DAWN KLOBUCHAR,

Honorable David M. Lawson
Mag. Judge Laurie M. Michelson

Plaintiff/Relator,

vs.

FILED UNDER SEAL

MICHIGAN JEWISH INSTITUTE,
CHABAD LUBAVITCH OF MICHIGAN,
THE SHUL, FRIENDSHIP CIRCLE,
RABBI KASRIEL SHEMTOV,
RABBI YUDI MANN, and DOV STEIN,

Defendants.

/

**THE UNITED STATES' NOTICE OF ELECTION
TO DECLINE INTERVENTION**

Pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B), the United States of America (“United States”) hereby notifies the Court of its decision not to intervene in this action.

Although the United States declines to intervene, we respectfully refer the Court to 31 U.S.C. §§ 3730(b)(1) and 3730(c)(3), which allow the relator to maintain the action in the name of the United States with the added requirement that the “action may be dismissed only if the court and the Attorney General give written consent to the dismissal and their reasons for consenting.” *Id.* Therefore,

the United States requests that, should either the relator or the defendants propose that this action be dismissed, settled, or otherwise discontinued, this Court solicit the written consent of the United States before ruling or granting its approval.

Furthermore, pursuant to 31 U.S.C. § 3730(c)(3), the United States requests that all pleadings filed in this action be served upon the United States. The United States also requests that orders issued by the Court be sent to the United States' counsel. The United States reserves its right to order any deposition transcripts, to intervene in this action, for good cause, at a later date, and to seek the dismissal of the relator's action or claim. The United States also requests that it be served with all notices of appeal.

Finally, the United States requests that the relator's Second Amended Complaint (Dkt. #36), this Notice, and the proposed Order filed concurrently herewith be unsealed. The United States requests that all other papers on file in this action remain under seal because in discussing the content and extent of the United States' investigation, such papers are provided by law to the Court alone for the sole purpose of evaluating whether the seal and time for making an election to intervene should be extended.

A proposed order accompanies this notice.

Respectfully submitted,

MATTHEW SCHNEIDER
United States Attorney

/s/Jonny Zajac
JONNY ZAJAC
Assistant United States Attorney
211 W. Fort Street, Suite 2001
Detroit, Michigan 48226
(313) 226-0230
jonny.zajac@usdoj.gov
Illinois Bar No.: 6407383

Dated: January 6, 2020